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County of San Bernardino

Bob Dutton
Assessor-Recorder-County Clerk

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Titles: 1 Pages: 7

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Taxes: \$0.00

CA SB2 Fee: \$0.00

Total: \$0.00

RECORDING REQUESTED BY:

City of Upland
460 North Euclid Avenue
Upland, CA 91786

WHEN RECORDED, MAIL TO:

Keri Johnson, City Clerk
City of Upland
460 North Euclid Avenue
Upland, CA 91786

Exempt from Recording Fees:
Government Code §§27383, 6103
City of Upland

This Space for Recorder's Use Only

**Amendment to Development Agreement for the Enclave at Upland
Specific Plan Project, Between the City of Upland and Lewis Land
Developers, LLC**

**AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE ENCLAVE AT UPLAND
SPECIFIC PLAN, BETWEEN THE CITY OF UPLAND AND LEWIS LAND
DEVELOPERS, LLC**

This Amendment to the Development Agreement for the Enclave at Upland Specific Plan (the "Amendment"), is entered into between the City of Upland, a municipal corporation ("City"), and Lewis Land Developers, LLC ("Owner"). City and Owner are referred to collectively within this Amendment as the "Parties."

RECITALS

- A. Owners owns the real property with the City (the "Property") which is described and shown on Exhibit "A" to this Amendment. The Property represents 19-acre developable area located on the south side of Foothill Boulevard and bounded by Dewey Way, 11th Street, and Central Avenue (Assessor's Parcel Numbers 1007-051-02, 03, 04 AND 1007-041-05, 06, 07) known as the "Enclave at Upland Specific Plan" (the "Project").
- B. In 2015, City and Owner, entered into a Development Agreement for the Project.
- C. The parties have now agreed to an extension of the Term of the Development Agreement, pursuant to Section 2.3 thereof.
- D. This extension was approved by the City Council by ordinance on June 8, 2020.

AGREEMENT

The Parties agree as follows:

- 1. Pursuant to Section 2.3 of the Development Agreement, the term of the Development Agreement is extended for two years, to and including July 27, 2022.

Except as modified, all provisions of the development Agreement shall remain in full force and effect.

This Amendment has been signed as of July 20, 2020, the effective date of the ordinance approving this Amendment.

[Signatures on following page]

**SIGNATURE PAGE TO AMENDMENT TO DEVELOPMENT AGREEMENT FOR THE
ENCLAVE AT UPLAND SPECIFIC PLAN PROJECT, BETWEEN THE CITY OF
UPLAND AND LEWIS LAND DEVELOPERS, LLC**


"City"

City of Upland
a municipal corporation

By 
Debbie Stone, Mayor

"Owner"

Lewis Land Developers, LLC
a Delaware limited liability company
By: LEWIS MANAGEMENT CORP., a Delaware
corporation - Its Manager

By 
Name John M. Goodman
Title Authorized Agent

Attest:


Keri Johnson, City Clerk

Approve as to Form


Steven Flower, Interim City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Bernardino)

On July 20, 2020 before me, Keri Johnson, Notary Public
(insert name and title of the officer)

personally appeared Debbie Stone,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Bernardino

On July 1, 2020 before me, Tanya K. Nesmith, Notary Public
(insert name and title of the officer)

personally appeared John M. Goodman,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Tanya K. Nesmith (Seal)

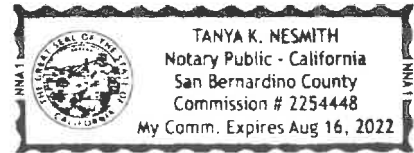


EXHIBIT A

Legal Description of the Proper

Real property in the City of Upland, County of San Bernardino described as follows:

HAFIF REVOCABLE TRUST PARCELS:

PARCEL 1:

THE NORTH ONE-HALF OF THE EAST 68 FEET OF LOT 12 OF COLLEGE HEIGHTS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 17, PAGES 77 AND 78 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTH 17 FEET THEREOF.

ALSO EXCEPTING THEREFROM THE WEST 20 FEET OF THE ABOVE DESCRIBED PARCEL OF LAND.

PARCEL 2:

LOT 23 OF COLLEGE HEIGHTS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 17, PAGES 77 AND 78 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3:

LOTS 11 AND 22, COLLEGE HEIGHTS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 17, PAGES 77 AND 78 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM SAID LOT 11, THE INTEREST IN THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA FOR HIGHWAY PURPOSES BY DEED RECORDED JANUARY 17, 1929 IN BOOK 453, PAGE 297, OFFICIAL RECORDS.

CLAREMONT PROFESSIONAL BUILDING PARCELS:

PARCEL NO. 4:

THE WEST 68 FEET OF THE EAST 136 FEET OF LOT 12 OF COLLEGE HEIGHTS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 OF MAPS, PAGES 77 AND 78, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THE NORTH 17 FEET THEREOF.

ALSO EXCEPTING THE SOUTH 15 FEET THEREOF.

PARCEL NO. 5:

THE SOUTH ONE-HALF OF THE EAST 68 FEET OF LOT 12 OF THE COLLEGE HEIGHTS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 OF MAPS, PAGES 77 AND 78, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THE SOUTH 15 FEET THEREOF.

PARCEL NO. 6:

THE WEST 20 FEET OF THE NORTH ONE-HALF OF THE EAST 68 FEET OF LOT 12, OF COLLEGE HEIGHTS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 OF MAPS, PAGES 77 AND 78, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THE NORTH 17 FEET THEREOF.

APN: 1007-041-05-0-000 (Affects: Parcel 2)
1007-041-06-0-000 (Affects: Lot 22 of Parcel 3)
1007-051-02-0-000 (Affects: Parcels 4, 5 and 6)
1007-051-03-0-000 (Affects: Parcel 1)
1007-051-04-0-000 (Affects: Lot 11 of Parcel 3)